FARAD CONTINUATION SHEET NO.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO.9 OF 2006

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders

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Mr.A.M.Saraogi for the petitioner.

Mrs.M.H.Mhatre APP for the State.

Coram : R.S.Mohite,J

Date : 23.01.2006.

PC

1. This petition impugns an order passed by the Additional Sessions Judge, Gr.Mumbai on 16.12.2005 allowing the Criminal Revision Application and directing the name of respondent no.2 to be added as an additional complainant alongwith present petitioner. Respondent no.2 had contended that he is the legal heir of the original complainant being the son of the original complainant who expired during the pendency of the case. The Advocate for the

petitioner accepted the legal position that the legal heir of the Complainant had a right to continue the criminal proceedings. His case however, was that respondent no.2 had no personal knowledge of the transactions. In my view, it is the matter to be tested in evidence. It is also noticed that the petitioner continues to be the complainant. In my view, no prejudice is caused to the petitioner. Hence, petition is dismissed.

(R.S.Mohite,J)